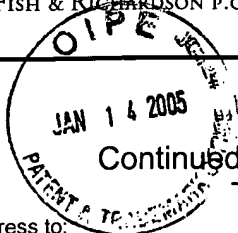


01-18-05

RCE IOW

FISH & RICHARDSON P.C.

Substitute Form PTO/SB/30 (5-03)



Request  
For  
Continued Examination (RCE)  
Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/058,629
Filing Date	January 28, 2002
First Named Inventor	Stephen L. Spurgeon et al.
Group Art Unit	2622
Examiner Name	T. Lamb
Attorney Docket Number	11306-135002

**This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. §1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s)

a. ☐ Previously submitted. If a final Office action is outstanding, any amendment filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply (6 pages)

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Return Postcard

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fee** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 06-1050

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

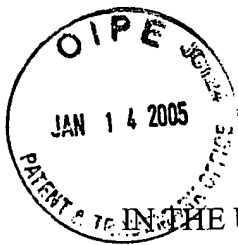
b. ☒ Check in the amount of \$ 395.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
Name (Print/Type)	Greg H. Gardella	Registration No. (Attorney/Agent)	46,045
Signature		Date	January 14, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

Express Mail Label No.: EV467328244US  
Date of Deposit: January 14, 2005



Attorney's Docket No.: 11306-135002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen L. Spurgeon et al.                      Art Unit :                      2622  
Serial No. : 10/058,629    Examiner :                      T. Lamb  
Filed : January 28, 2002  
Title : DECORATING SYSTEM FOR EDIBLE ITEMS

**MAIL STOP RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Please amend the application as indicated on the following pages.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV467328244US

January 14, 2005  
Date of Deposit